

USDC SDNY DOCUMENT ELECTRONICALLY FILED DOC #: _____ DATE FILED: <u>2/5/08</u>

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

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UNITED STATES OF AMERICA	:	<u>ORDER</u>
- v. -	:	07 Cr. 1157 (SHS)
MICHAEL SMITH,	:	
	:	
Defendant.	:	

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IT IS HEREBY ORDERED that a psychiatric evaluation of the defendant be conducted pursuant to Title 18, United States Code, Section 4241, to assess whether the defendant may presently be suffering from a mental disease or defect rendering him mentally incompetent to the extent that he is unable to understand the nature and consequences of the proceedings against him or to assist properly in his defense, or to the extent that he was incompetent at the time of the offense such that he could not form the requisite intent to commit the offense with which he is charged;

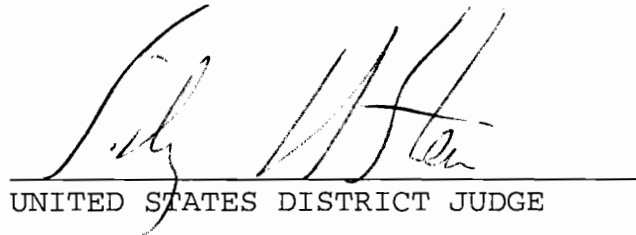
IT IS HEREBY FURTHER ORDERED, Dr. Cheryl Paradis, Psy.D., be retained to conduct the testing and evaluation of the defendant in this case;

IT IS HEREBY FURTHER ORDERED, that the United States Bureau of Prisons ("BOP") admit Dr. Paradis to the Metropolitan Detention Center ("MDC"), in which defendant is being detained, at times and dates convenient to Dr. Paradis and the MDC, for purposes of interviewing, testing and evaluating the defendant.

IT IS HEREBY FURTHER ORDERED, that the reasonable fees charged by Dr. Paradis shall be paid by the United States Department of Justice; and

IT IS FURTHER ORDERED that time shall be excluded during the pendency of the proceedings to determine the mental capacity of the defendant, pursuant to the Speedy Trial Act, 18 U.S.C. § 3161(h)(1)(A).

Dated: New York, New York
February 4, 2008



UNITED STATES DISTRICT JUDGE